

October 19, 2022

Minutes of October 19, 2022, Administrative Review Hearing, held in the Weber County Planning Division Office, 2380 Washington Blvd., Suite 240, Ogden UT, commencing at 4:00 p.m.

Staff Present: Charlie Ewert, Principal Planner; Felix Lleverino, Planner; June Nelson, Secretary

1. Minutes: October 5, 2022 Approved

2. Administrative Items

2.1 AAE2022-07 – Consideration and action on the Samarel Alternative Access request for access to a lot at a location other than across the front lot line. **Planner: Felix Lleverino**

The applicant is requesting approval of access to a lot from an area other than the own front lot line. The applicant's reasoning for alternative access from an area that would otherwise be by its front lot line is restricted due to the topography that rises steeply uphill from the Old Snowbasin Road. This request intends to create a shared drive that is used exclusively by lots one and two, as seen in Exhibit A. The subdivision configuration in Exhibit A indicates that lot 1 does not have 150' of frontage and will require access across lot 2. It is also shown that access will not be utilized from an area that is considered the lot 2 frontage.

The administrative approval body shall review the request based on the qualifying criteria and conditions listed below:

Sec 108-7-32 Access to lots/parcels at a location other than across the front lot line may be approved as the primary access, subject to the following criteria:

- a) The applicant demonstrates that special or unique boundary, topographic, or other physical conditions exist which would cause an undesirable or dangerous condition to be created for property access across the front lot line.
- b) It shall be demonstrated that appropriate and legal access exists due to historic use, court decree, or the execution of an easement, right-of-way, or another instrument capable of conveying or granting such right.

It is the planning staff's opinion this proposal is a good candidate for an access exception.

Staff recommends approval of AAE 2022-07, an alternative access request for access to a lot at a location other than across the front lot line. This recommendation is based on the following conditions:

1. **All county agency conditions of approval shall be satisfied.**
2. **The design, safety, and lot/parcel standards are incorporated with the access road design.**
3. **No parking is permitted on the access road,**
4. **The final dedication plat includes the entry number for the recorded access easement agreement.**

The recommendation is based on the following findings:

1. **The topography and lot configuration restrict access from the location that is the lot's frontage.**
2. **The owner will comply with applicable land use requirements related to access easement standards.**
3. **The creation of shared access would minimize the impact on the property and rural nature of the area.**

Approved by Charlie Ewert based on the findings and conditions listed in the staff report.

2.1 LVB110921 – Consideration and action on final approval of Buffalo Run Subdivision Phase 1 (9 lots) located at 2400 S 4700 W. **Planner: Felix Lleverino**

On September 13th, 2022 the Western Weber Planning Commission approved the phasing plan for the Buffalo Run Subdivision. This was done to allow the developer to split this 18-lot development in half by creating two separate phases that may be completed and recorded individually. The Buffalo Run Subdivision phasing plan was approved with the following conditions:

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1. Each phase's improvements are complete or guaranteed financially before each phase is recorded.
 - Will be completed before recording the subdivision plat.
2. The developer enters into a Monument Improvement Agreement with the County Surveyor's Office for each phase.
 - Will be completed before recording the subdivision plat.
3. A signature block for Taylor West Weber Water District is added to the dedication plat.
 - This requirement is completed
4. All Hooper Irrigation conditions of approval are satisfied.
 - This requirement is completed, and the remaining requirements are related to installation specifications.
5. The developer shall install curb, gutter, and sidewalk improvements on 4700 West to match the rest of the subdivision.
 - The developer is aware of this requirement and will escrow the funds sufficient for the improvements on 4700 West Street.

Tyler Nelson-Gardner Engineering, Jim Marziale, owner, Sam Cooper Golden Spike Realty all spoke on behalf of the owner. Charlie Ewert let the group know that the County Commission will likely be allowing 1/3 acre lots in the future. The owner stated that he would like to sell the lots as they are designed and might change phase 2. Connectivity of the streets were discussed, as well as explanation of the deferral agreement for curb, gutter and sidewalk.

Staff recommends final approval of Buffalo Run Subdivision Phase 1, a proposal for a nine-lot residential development. This recommendation is based on the following conditions:

1. **All subdivision improvements are complete or escrowed before the subdivision plat is recorded.**
2. **The developer enters into a Monument Improvement Agreement with the County Surveyor's Office.**
3. **An annexation plat, bringing land into the Central Weber Sewer Improvement District, is approved by the County Surveyor's Office. The annexation plat shall be recorded before the subdivision plat is recorded.**
4. **A signature block for Taylor West Weber Water District is added to the dedication plat.**
5. **All Hooper Irrigation conditions of approval are satisfied.**
6. **The developer shall enter into a deferral agreement for the curb, gutter, and sidewalk for improvements on 4700 West.**

This recommendation is based on the following findings:

1. **The proposed subdivision conforms to the West Central Weber General Plan.**
2. **The proposed subdivision complies with the applicable County codes.**
3. **The subdivision conforms to zoning and subdivision ordinances.**

Approved by Charlie Ewert based on the findings and conditions listed in the staff report.

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Respectfully Submitted,
June Nelson
 Lead Office Specialist